

2682

The opinion in support of the decision being entered today was not written for publication and is not binding precedent of the Board.

Paper No. 16

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE BOARD OF PATENT APPEALS
AND INTERFERENCES

Ex parte JAMES NICHOLAS SEYMOUR

Appeal No. 2001-2014
Application 08/987,995

ORDER REMANDING TO EXAMINER

MAILED

NOV 29 2001

**PAT. & T.M. OFFICE
BOARD OF PATENT APPEALS
AND INTERFERENCES**

An examination of the file reveals that an Information Disclosure Statement (IDS) was filed February 12, 2001 (Paper No. 15). It is not apparent from the record whether the examiner considered the statement submitted or notified appellant of why his submission did not meet the criteria set forth in 37 CFR §§ 1.97 and 1.98. A communication notifying appellant of the Primary Examiner's decision is required.

Appeal No. 2001-2014
Application 08/987,995

Accordingly, it is

ORDERED that the application is remanded to the Examiner for consideration of the IDS, appropriate notification to appellant, and for such further action as may be appropriate.

It is important that the Board of Patent Appeals and Interferences be informed promptly of any action affecting the status of the appeal (i.e., abandonment, issue, reopening prosecution).

BOARD OF PATENT APPEALS
AND INTERFERENCES

By: 

DALE SHAW

Program and Resource Administrator
(703) 308-9797

DS:psb

cc: Perman & Green
425 Post Road
Fairfield, CT 06430-6232